

**BEST AVAILABLE COPY**

IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 1614  
EXAMINER: UNKNOWN  
APPLICANT: Zhu et al  
SERIAL NO.: 10/821,262  
FILED: 04/07/2004  
CONFRM. NO.: 8617  
FOR: SEA BUCKTHORN  
COMPOSITIONS AND  
ASSOCIATED METHODS

ATTORNEY DOCKET NO. 21798.NP

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF PATENT  
APPLICATION Filing Date  
Granted**

**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: 10-21-04

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*David W. Osborne*  
David W. Osborne

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

In response to the Notice to File Missing Parts of Application mailed 06/22/04, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- ☒ A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- ☐ Applicant claims small entity status under 37 CFR 1.9(b) & 1.27(c).
- ☒ An Assignment from the inventors to PHARMANEX, LLC.
- ☒ Declaration and Petition.
- ☒ Power of Attorney.
- ☐ Prior Art Statement, Form PTO-1449, and copies of cited prior art.
- ☒ A Petition for a Two-Month Extension of Time Under 37 CFR 1.136(a).

## Response To Notice To File Missing Parts Of Patent Application

Page 2

The filing fee has been calculated as shown below.

FOR	NO. FILED	NO. EXTRA	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
			RATE	FEE	RATE	FEE
BASIC FEE			\$385.00		\$790.00	\$790.00
TOT. CLAIMS	40-20=	20	x \$9.00 =		x \$18.00 =	\$ 360.00
IND. CLAIMS	-03=	0	x \$44.00 =		x \$88.00 =	
MULTIPLE DEPENDENT CLAIMS PRESENTED		0	\$145.00		\$290.00	
ASSIGNMENT FILING FEE			\$40.00		\$40.00	\$40.00
SURCHARGE FEE			\$65.00		\$130.00	\$130.00
			TOTAL		TOTAL	\$1,320.00

☒ A check in the amount of \$1,750.00 is enclosed to cover:


☒ The \$1,320.00 filing fee (including the surcharge fee, the assignment recordation fee); and

☒ The \$430.00 fee for a two-month Extension of Time

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 21 day of October, 2004.

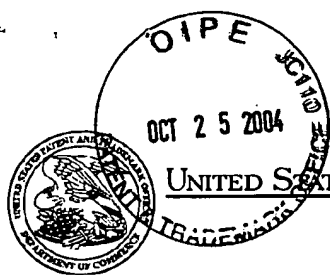
Respectfully submitted,



David W. Osborne  
Attorney for Applicant  
Registration No. 44,989

THORPE NORTH & WESTERN, LLP  
Customer No. 20,551  
P.O. Box 1219  
Sandy, Utah 84091-1219  
Telephone: (801) 566-6633

DWO/js  
Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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1Fw \$

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,262	04/07/2004		21798.NP

CONFIRMATION NO. 8617

## FORMALITIES LETTER



\*OC000000013021317\*

M. Wayne Western  
 THORPE NORTH & WESTERN, LLP  
 P.O. Box 1219  
 Sandy, UT 84091-1219

Date Mailed: 06/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$360 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1260 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

10/26/2004 DENMANU1 00000033 10821262

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1202	360.00 OP

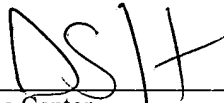
- Total additional claim fee(s) for this application is **\$360**

- **\$360** for **20** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be 'DS/H', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE